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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/719,293	11/22/2003	Bassin	

Ely Zborovsky Patent Bureau
 6 Schoolhouse Way
 Dix Hills, NY 11746

CONFIRMATION NO. 2135

FORMALITIES LETTER



OC000000012049098

Date Mailed: 03/08/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The following item(s) appear to have been **omitted** from the application:

- Page(s) 7, 11-15, 35 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date



BEST AVAILABLE COPY

JFW

UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Applicant: BASSIN

Serial No.: 10/719,293

Filed: November 22, 2003

LETTER

I hereby certify that this correspondence is being deposited with the United States Postal Service by First Class Mail on the date indicated above and is addressed to the Assistant Commissioner of Patents and Trademarks, P. O. Box 1450 Alexandria, VA 22313-1450

08/08/04
ILYA ZBOROVSKY

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia

Sir:

In this application a Notice to File Missing Parts of Non-Provisional Application dated March 8, 2004 was received. The response to the Notice was filed on May 8, 2004.

Upon Status Request, it was determined that the response was not found in the U.S. Patent and Trademark Office.

In connection with this, a copy of the response is submitted herewith. It is respectfully submitted that the response was first filed on May 8, 2004 as indicated on the certification of the response.

It is respectfully requested to accept the response and to examine the present application on the merits.

Respectfully submitted,

Ilya Zborovsky
Agent for Applicant
Reg. No. 28563

A handwritten signature in black ink, appearing to be 'Ily Zborovsky', written over the typed name and registration number.